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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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BRIAN WRIGHT,

 Plaintiff,

 v.

KIMBERLY FRAYN, et al.,

 Defendants.

Case No. 2:17-cv-01844-MMD-CWH

**ORDER AND
REPORT AND RECOMMENDATION**

Presently before the court is pro se plaintiff Brian Wright's motion for a status check (ECF No. 10), filed on December 14, 2017, in which Mr. Wright requests the status of his case. Also before the court are Mr. Wright's motion for summary judgment (ECF No. 11) and motion for default judgment (ECF No. 12).

Mr. Wright's application to proceed *in forma pauperis* (ECF No. 9), which was filed on September 11, 2017, is awaiting decision by the court. At the time the court addresses the application to proceed *in forma pauperis*, it also must screen the complaint (ECF No. 1-1). The court addresses all applications to proceed *in forma pauperis* in the order they are filed. While the court strives to resolve all matters as expeditiously as possible, given the court's current caseload, as well as the fact that all criminal matters must be addressed before all civil matters as liberty interests are at stake, the screening process is lengthy. The court will address Mr. Wright's application to proceed *in forma pauperis* and screen his complaint in due course. Given that his complaint has not yet been screened and service has not been ordered, Mr. Wright's motion for summary judgment (ECF No. 11) and motion for default judgment (ECF No. 12) are premature. The court therefore will recommend that they be denied without prejudice on that basis. Accordingly,

1 IT IS ORDERED that Brian Wright's motion for a status check (ECF No. 10) is
2 GRANTED as stated in this order.

3 IT IS RECOMMENDED that Brian Wright's motion for summary judgment (ECF No.
4 11) and motion for default judgment (ECF No. 12) be DENIED without prejudice on the grounds
5 they are premature.

6 **NOTICE**

7 This report and recommendation is submitted to the United States district judge assigned
8 to this case under 28 U.S.C. § 636(b)(1). A party who objects to this report and recommendation
9 may file a written objection supported by points and authorities within fourteen days of being
10 served with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely
11 objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d
12 1153, 1157 (9th Cir. 1991).

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14 DATED: August 9, 2018

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18 C.W. HOFFMAN, JR.
19 UNITED STATES MAGISTRATE JUDGE
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